

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BRANDY LEE SALWAY,

Defendant.

No. CR 13-73-GF-BMM

ORDER

United States Magistrate Judge Keith Strong entered Findings and Recommendation in this matter on December 3, 2013. Neither party objected and therefore they are not entitled to de novo review of the record. 28 U.S.C. § 636(b)(1); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).

This Court reviews the Findings and Recommendation for clear error.

McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc., 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000).

Judge Strong recommended this Court accept Brandy Salway’s guilty plea after Brandy Salway appeared before him pursuant to Federal Rule of Criminal

Procedure 11, and entered her plea of guilty to one count of Involuntary Manslaughter. I find no clear error in Judge Strong's Findings and Recommendation (doc. 23), and I adopt them in full, including the recommendation to defer acceptance of the Plea Agreement until sentencing when the Court will have reviewed the Plea Agreement and Presentence Investigation Report.

Accordingly, IT IS HEREBY ORDERED that Brandy Salway's motion to change plea (doc. 15) is GRANTED.

DATED this 13th day of January 2014.

/s/Brian Morris
Brian M. Morris
United States District Court Judge